

Orosz
10/812,193

REMARKS

The undersigned requests a personal interview with the Examiner in charge of this application to discuss the issues raised in this amendment.

The abstract was object to as being too long. This has been corrected.

The specification was objected to for informalities in pages 20 and 21. These have also been corrected.

The drawings were objected to on the grounds that "reference character 22 has been used to designate both a user and threads", presumably referring to the informality in page 18 noted above. It is believed that the correction made in page 18 overcomes the objection to the drawings.

Claims 1-7 were rejected as being anticipated by Seibert 6,601,361.

Claims 1, 2 and 3 were rejected as being anticipated by Jureit 3,365,221.

Claims 9-13 were rejected as being anticipated by Goeman 4,359,849.

Claim 7 was rejected as being unpatentable over Seibert in view of Jureit.

Claim 14 was rejected as being unpatentable over Goeman in view of Jureit.

Seibert discloses an anchor plate construction for an insulated concrete wall. The present invention has to do with a floor having tiles with spaces for grouting, and a platform above the tiles to walk on without disturbing the tiles. The Examiner took the position, in effect, that the only differences between the present invention and Seibert was in the use of functional language, ie, statement of use.

Jureit has a flooring assembly with metal sheathing to provide a non-skid surface and also to prevent movement of a load, such as on the floor surface of a box car. The load also appears to be nailed into place. Metal sheathing 12 sits on the floor and is held down by spikes 24 entering the floor. The load sits on the sheathing and nailed down, as noted above. In the present invention, the platform is spaced above the floor tiles.

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Goeman shows a wall construction using clips 20 having prongs 22 embedded into wall 14. Again, the Examiner takes the same position as in Seibert that the only difference is in function, or statement of use.

In view of the art cited, claim 1 has been extensively amended to recite the combination of a floor with a horizontal surface, tiles on said floor with spaces left for grouting, and the platform made up of members spaced above the floor and held in place by posts extending down and resting on the floor between the tiles, thereby allowing a person to walk above the tiles without damaging the arrangement of the tiles.

It is believed that the language now employed gets away from the functional distinctions which the Examiner found in the original claims, and that the language now in claim 1 clearly departs in structural terms from the above references.

Claim 9, which is drawn to the embodiment of Fig. 7, has been similarly amended and is believed also to distinguish clearly and unambiguously over these references.

Claims 2-5 and 10-11 have been canceled.

The remaining depending claims add more specific details of the invention and should be allowed along with their respective parent claims.

It is noted that the Examiner did not cite a single reference showing any kind of a reference designed to accomplish the same purpose of this invention. In other words, all of the art cited are in non related arts.

In view of the foregoing, it is believed that the claims remaining clearly distinguish over the above references and should be allowed..

A conscientious effort has been made to place this application in condition for immediate allowance. The Examiner is requested to call the undersigned or Mr. Kroll if further changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,

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I hereby certify that this correspondence is being facsimile transmitted to the U. S.
Patent and Trademark Office, telephone number 572-273-8300 on March 11, 2007.


Leonard Belkin